

# HONORING THE CONTRIBUTIONS OF HULDA KERCHEVILLE

## HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 19, 2005*

Mr. CUELLAR. Mr. Speaker, I rise today to recognize the public service of Hulda Kercheville of Hernandez Intermediate School. Hulda Kercheville grew up in Martindale, Texas. As the eldest of six children, she spent much of her youth helping her parents care for her of siblings.

Mrs. Kercheville has chosen to lead a life filled with good examples for our children. She is no stranger to hard work, having served as both an educator and a former Hays County Constable.

Hulda Kercheville has taught our kids for the last thirty-five years. She is retiring from Hernandez Intermediate School, and receiving the honorary distinction of Teacher of the Year.

Hulda Kercheville survives her husband Jack Kercheville. Her four children: Michael, Cheryl, Mary, and Jaclyn, now have children and grandchildren of their own.

It is an honor to recognize the hard work and dedication of Hulda Kercheville. Her passion for the education of our students has inspired generations of Texans.

# HONORING SUPER BOWL XXXIX'S MOST VALUABLE PLAYER, DEION BRANCH

## HON. SANFORD D. BISHOP

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 19, 2005*

Mr. BISHOP of Georgia. Mr. Speaker, it is an honor for me to rise in recognition of an outstanding athlete and a beloved Georgian, Mr. Deion Branch, Super Bowl XXXIX's Most Valuable Player. Earlier this year we recognized the New England Patriots when they won Super Bowl XXXIX, their third Super Bowl victory in four years. Only one other team has ever won the Lombardi Trophy so many times in so few years, yet no other receiver in history has put together back-to-back performances like Deion Branch.

In Super Bowl XXXVIII, which the Patriots won 32-29 over the Carolina Panthers, Deion Branch caught 10 passes for 143 yards, including the game's first touchdown and the catch that set up the Patriot's winning field goal. He should have won MVP then, but this year he bested even himself, tying the Super Bowl record with 11 catches for a total of 133 yards.

From the days when he was deemed too small for middle school football, to his years on the Monroe High School team, to the University of Louisville, to his historic career in professional football, Deion Branch has made up for what he lacks in size with a spirit and a talent that defines him as one of the best to ever play the game.

This Saturday, April 23, 2005, we will be observing "Deion Branch Day" in the City of Albany, with all of the pomp and circumstance due our hometown hero. But here in these hallowed walls, I rise on behalf of the city of Albany, Georgia, the 2nd Congressional Dis-

trict and football fans everywhere to recognize his outstanding achievement and to wish him continued success in his already remarkable career.

# BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION ACT OF 2005

SPEECH OF

## HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 14, 2005*

Mr. MOORE of Kansas. Mr. Speaker, I rise today in support of S. 256, the Bankruptcy Abuse Prevention and Consumer Protection Act.

The bankruptcy bill before us today is the product of years of bipartisan discussions and compromises, and while this legislation is not perfect, it is a serious, good faith effort to reform our bankruptcy laws and reduce the worst abuses in the consumer bankruptcy system. The House has passed substantially similar legislation with strong majorities in each of the last four Congresses, and the Senate followed suit last month when it passed S. 256 by a 3-1 margin. Bankruptcy filings have increased by 70 percent over the last decade, and last year alone Americans filed over 1.6 million consumer bankruptcy petitions. S. 256 will not eliminate bankruptcy filings in our country, but it is a necessary effort to change the status quo and ensure that only those debtors who most need the bankruptcy system will be able to use it.

S. 256 would raise the repayment priority of domestic support obligations, including alimony and child support, from seventh to first, and would make failure to pay domestic support obligations a cause for conversion or dismissal of a debtor's case.

S. 256 would also protect tax-exempt retirement savings accounts from creditors' claims. The bill expressly upholds the Supreme Court's recent ruling that creditors may not seize Individual Retirement Accounts [IRAs] when people file for bankruptcy, ensuring protection for retirement accounts relied upon by millions of Americans. Consequently, IRAs now join 401(k)s, Social Security, and other benefits tied to age, illness or disability that are afforded protection under bankruptcy law.

Further, S. 256 would make non-dischargeable credit card purchases of \$500 or more, if made within 90 days of filing for bankruptcy, and all cash advances that total \$750 or more, if made within 70 days of filing. Sometimes consumers who know that they will have to file for bankruptcy protection make excessive purchases on credit with the full knowledge that they will never have to repay this debt. Approximately \$44 billion in consumer debt is erased each year through bankruptcy, and this discharged debt increases the costs of goods and services for all consumers. Retailers pass on to consumers the costs that are lost to bankruptcy, and the means test included in S. 256 could save between \$4 billion and \$5 billion of this discharged debt.

Additionally, the bill seeks to tighten the homestead exemption by limiting the amount of equity a homeowner could protect if a piece of property in a homestead exemption state is purchased within the 40-month period prior to

a bankruptcy filing. Bankruptcy filers convicted of a range of crimes, including fraud, violations of securities laws, and criminal acts resulting in injury or death would lose the ability to shield their assets in property holdings regardless of when they purchased their property. The bankruptcy bill's homestead exemption provisions attempt to ensure that wealthy debtors with the means to payoff at least some of their debts will no longer be able to hide behind the bankruptcy system.

As some opponents of the bill have noted, some debtors are forced to file for bankruptcy as a result of unmanageable medical bills, divorce, or job loss. These financial hardships unfortunately happen every day, and too often prevent honest, hardworking individuals and families from getting ahead or pulling themselves out of debt. This legislation seeks to protect the ability of these debtors to file for relief under Chapter 7 of the bankruptcy code by creating a means test that will continue to allow low-income debtors who earn less than the median income of the state in which they live to file under Chapter 7. According to the 2000 Census, the median household income in my congressional district is approximately \$51,000. The means test recognizes that those in our society who are the least able to repay their debts should have the opportunity to enjoy a fresh start in life. And because many debtors are forced to file for bankruptcy as a result of medical expenses, S. 256 allows bankruptcy filers to challenge the means test by demonstrating "special circumstances," such as a serious medical condition, that justify additional expenses or adjustments to their income. Individuals who are forced to file for bankruptcy due to medical expenses should be able to emerge from bankruptcy with the possibility of a second chance in life.

Finally, S. 256 contains several provisions that seek to improve consumers' financial literacy in an attempt to decrease the total number of future bankruptcy filings. The bill would require debtors to receive credit counseling from a non-profit credit counseling agency prior to filing for bankruptcy, and requires filers to complete an approved instructional course on personal financial management before receiving a discharge under either Chapter 7 or Chapter 13.

Mr. Speaker, while S. 256 is certainly not a perfect piece of legislation, it is my hope that this bill will reduce the number of bankruptcy filings in our country and maintain a fair bankruptcy system for those who need it the most in our society.

# HONORING THE CONTRIBUTIONS OF MARY ANNE GUERRERO KOLB, CROCKETT ELEMENTARY SCHOOL TEACHER OF THE YEAR

## HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 19, 2005*

Mr. CUELLAR. Mr. Speaker, I rise to recognize the many accomplishments of Mary Anne Guerrero Kolb, Crockett Elementary School Teacher of the Year.

Mrs. Kolb graduated from Texas State University in 1974 with a B.S. in education, and in 1981 with a Masters in Education. She has taught kindergarten for the San Marcos Consolidated Independent School District for 30

years, after being handpicked by the administration as a student teacher.

Mrs. Kolb is a dedicated practitioner of bilingual education. She aims to make her students into enthusiastic readers and writers, in both English and Spanish. Her methods have produced consistent results: every year her students meet or exceed the state requirements in math and reading.

In addition to her distinguished career in education, Mrs. Kolb is also a military veteran. She enlisted in the United States Navy after high school, and worked as a dental technician. She is a consistent innovator in education. Mrs. Kolb eagerly applies new computer technology and teaching techniques in her classroom, using new information to reinforce time-tested procedures. She has been recognized for her achievements many times, receiving the 2004 Outstanding Teacher Award from the VFW as well as Teacher of the Year from her own Crockett Elementary School.

Mary Anne Kolb is one of our state's outstanding educators. Her tireless work has contributed to a brighter future for hundreds of Texan children, and her energy serves as an example to us all. I am proud to have the opportunity to recognize her here today.

#### INTRODUCTION OF THE EMPLOYEE FREE CHOICE ACT

#### HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 19, 2005*

Mr. GEORGE MILLER of California. Mr. Speaker, the right of working men and women to freely organize and bargain collectively is a fundamental human right. It is a long-time American value, a principle recognized by international agreement, and a standard by which our government measures adherence to democratic principles.

And yet, disregard for the right of free association is rampant right here. In its report entitled, "Unfair Advantage," Human Rights Watch (2000) declared—

Many workers who try to form and join trade unions to bargain with their employers are spied on, harassed, pressured, threatened, suspended, fired, deported or otherwise victimized in reprisal for their exercise of the right to freedom of association.

Labor law enforcement efforts often fail to deter unlawful conduct. When the law is applied, enervating delays and weak remedies invite continued violations.

This is not a report on human rights abuses in Iran, or Honduras, or China. This subject is the United States of America.

When the National Labor Relations Act was enacted 70 years ago, it represented the hope of millions of Americans who sought to gain the right to bargain with their employer. Today, however, that law has become so weakened and so easily manipulated that it is one of the greatest hindrances to the right of Americans to form and join unions.

Today, I am honored to be joined by the Hon. PETER T. KING and 121 of our colleagues in introducing the Employee Free Choice Act. We commit ourselves to a new effort to strengthen and protect a human right and an American principle: the right of men and women to band together to improve their working conditions.

The Employee Free Choice Act is a bipartisan bill designed to provide a realistic ability for working men and women to form and join unions.

The Employee Free Choice Act provides: A simple, fair, direct method for workers to form unions by signing cards or petitions; three times the amount of lost pay when a worker is fired during an organizing campaign or first-contract negotiations; and impartial mediation or arbitration to resolve disputes over first-time labor contracts.

Employees and the nation benefit from a strong union movement. Median weekly wages of union workers are 28% higher than nonunion workers. Almost 70% of union workers have a guaranteed retirement benefit, five times the likelihood for a nonunion worker. Eighty percent of union workers have health insurance compared to 50% of nonunion workers.

The ten States with the highest percentage of organized workers have higher household incomes, greater medical insurance coverage, higher education spending per pupil, lower violent crime rates, fewer people living in poverty, and a greater electoral participation than the ten States with lowest percentage of organized workers. This issue is not just about human rights—it's about economic security for us all.

Workers should be able to make the decision about union representation without intimidation, indoctrination or misinformation. When we undercut the ability of working men and women to join unions, we are abandoning our own history and ideals, and sending a terrible message to the rest of the world. I commend this legislation to the attention of my colleagues and urge those who yet to do so, to join me in sponsoring this important legislation.

#### RECOGNIZING EQUAL PAY DAY

#### HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 19, 2005*

Ms. SOLIS. Mr. Speaker, I rise today to recognize Equal Pay Day. On this day, thousands of advocates across the country will participate in events to bring attention to the continued gender wage gap.

The Equal Pay Act, enacted in 1963, established pay equity for women in the United States. Nonetheless, 40 years after the enactment, women are still paid less than men—despite similar education, skills and experience. In fact, women still only earn 76 cents to each dollar paid to their male counterparts.

Although we have made progress since 1963, women have not yet achieved pay equity. Women, particularly single mothers, continue to face financial burdens, including the cost of rent, groceries and utilities. Compounding this situation is the reality that the wage gap inevitably leaves women with less money for retirement, smaller pensions and will also disproportionately depend on social security.

While working women in California are farther along the road to reaching equal pay in comparison to other states, the gap still exists. In 2000, women in California earned 82 cents as much per hour as men. Regrettably, at this

current rate, women in California will not have pay equity until 2044.

Women of color are at an even higher disadvantage than non-minority women. Latinas earn merely 53 cents and African American women earn 65 cents for every dollar that men earn. We must recognize workplace discrimination and barriers faced by women of color across the country.

The wage gap between men and women is unacceptable. That is why I strongly support the "Paycheck Fairness Act," introduced by Representative DELAUNO. This bill will take the necessary steps to eliminate gender-based wage discrimination and ensure that women will finally earn what men earn for doing the same job. I urge Congress to pass this bill and end wage discrimination for all women.

#### HONORING THE CONTRIBUTIONS OF ROSALINDA DE LA ROSA, BONHAM EARLY CHILDHOOD CENTER TEACHER OF THE YEAR

#### HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 19, 2005*

Mr. CUELLAR. Mr. Speaker, I rise to recognize Teacher of the Year Rosalinda De La Rosa for her countless contributions to the children of the Bonham Early Childhood Center.

Mrs. De La Rosa began her career at Bonham by teaching Pre-Kindergarten Bilingual Education. She has now taught at Bonham for 2 years. She has a Bachelor of Science in Elementary Education from Texas State University and she is certified in Early Childhood Education and Bilingual Education.

Mrs. De La Rosa is a teacher who loves to shape and mold the minds of her students. She helps them understand that school is a safe and wonderful environment and encourages them to learn everything that they can. She teaches them that even though they may be young they are important to the class, and she helps them understand about classrooms and rules.

Her goal as a teacher is to make every day an enjoyable day by letting her preschoolers know that she cares about them and that she is there to listen to their concerns.

Mr. Speaker, I am proud to have Mrs. De La Rosa teaching the students of my district and I am honored to have had the chance to recognize her today.

#### HONORING THE 70TH ANNIVERSARY OF THE WOODBURY LIONS CLUB

#### HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 19, 2005*

Mr. GORDON. Mr. Speaker, I rise today to honor the 70th anniversary of the Woodbury Lions Club. The Lions Club motto is "We Serve," and for 70 years, the Woodbury Lions have been serving Cannon County well.

The Woodbury Lions Club has grown significantly from its humble beginnings in 1935 when Minor Bragg first explained Lionism to a